



United States Department of the Interior

OFFICE OF THE SECRETARY

Minerals Management Service
South Central Region
P. O. Box 26124
Albuquerque, New Mexico 87125

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MAY 1982

Nordhaus Haltom & Taylor

MAY 26 1982

Confidential Claim Retracted

Authorized by: SC

Date: 6/2/82

Nordhaus, Haltom, and Taylor
Attorneys at Law
507 Roma Avenue, NW
Albuquerque, New Mexico 87102

Attention: Lester K. Taylor, Counsel for Laguna Pueblo

Dear Mr. Taylor:

This letter is in response to our meeting of May 21, 1982, and telephone conversation of May 24, 1982, regarding the authority of the Mining Supervisor to order Anaconda Minerals Company to continue mine maintenance and dewatering activities at the NJ-45, P-10, and P-13 underground uranium mines.

The Pueblo of Laguna was advised during several meetings and informal discussions in late 1981 that the Jackpile-Paguate Mine would be permanently closed in March 1982. Anaconda Minerals Company formally notified the District Mining Supervisor, by letter dated January 8, 1982, that all mining and mining related operations would cease on or before March 31, 1982. The District Mining Supervisor provided a copy of this letter and notified the Pueblo of Laguna of this cessation of operations by letter dated January 13, 1982. The Pueblo of Laguna was advised by the District Mining Supervisor, by letter dated April 22, 1982, that Anaconda agreed to continue dewatering at the P-10 and P-13 Mines until May 25, 1982. This letter also advised the Pueblo of Laguna that requiring the continuation of mine dewatering past May 25, 1982, was beyond the authority of the Mining Supervisor.

This office supports the decision of the Mining Supervisor, and the determination that 30 CFR 231.31 and 231.41 do not provide the Mining Supervisor the authority to order continued mine dewatering or related underground maintenance activities. The Pueblo of Laguna is not committed to a defined timetable or schedule for possible future development of the remaining uranium reserves in the area. Requiring the continuation of mine dewatering



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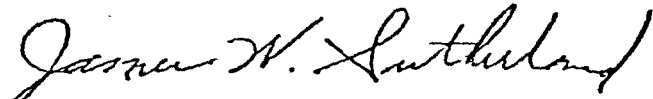
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and mine maintenance for an indefinite period of time would be a significant economic burden upon the operator. Anaconda provided the Pueblo of Laguna, by letter dated April 29, 1982, cost estimates to keep the underground mine workings open and accessible. Furthermore, it is questionable that continued dewatering would substantially benefit possible future mining by the Pueblo of Laguna. A major portion of the remaining reserves in the area have not been accessed by the existing workings, and could be developed in the future by other entrys. The NJ-45 Mine area is dry, and dewatering is not necessary. Mining information also indicates that the NJ-45 Mine area would remain accessible for several months to a year with little or no continued maintenance.

The Anaconda Minerals Company has agreed to continue mine dewatering until May 31, 1982, and provide the Pueblo of Laguna an opportunity to make commitments regarding their interest in keeping the underground workings open and accessible. This agreement by Anaconda was in response to an informal request by the Mining Supervisor, to provide the Pueblo of Laguna additional time to consider the costs and benefits of continued mine dewatering and maintenance to the Pueblo of Laguna.

Sincerely yours,



James W. Sutherland
Minerals Manager